

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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OCT 09 2019

APPEAL FROM Horry COUNTY

S.C. SUPREME COURT

William H. Seals, Jr., Circuit Court Judge

Appellate Case No. 2019-001134

City of Myrtle Beach, For Itself and a Class of Similarly Situated Plaintiffs, Respondents,

v.

Horry County, Appellant.

**Respondents City of Myrtle Beach’s, For Itself and a Class of Similarly Situated Plaintiffs,
Initial Designation of Matter to be Included in the Record on Appeal**

Pursuant to Rule 209, of the South Carolina Appellate Court Rules (SCACR), City of Myrtle Beach’s, For Itself and a Class of Similarly Situated Plaintiffs, designate the following to be included in the Record on Appeal:

1. Summons and Complaint and all exhibits, filed March 20, 2019
2. Horry County Answer & Counterclaims, filed April 19, 2019
3. City Motion for Preliminary Injunction and Affidavit of Michael W. Shelton, filed May 3, 2019
4. City Memorandum in Support of its Motion for Preliminary Injunction and all exhibits, filed May 3, 2019
5. City Motion for Assignment to Business Court, Description of Claims/Justification of Assignment and exhibit, filed May 3, 2019

6. Order Assigning Case to Business Court, entered May 6, 2019
7. Horry County Motion for Preliminary Injunction, filed May 14, 2019
8. Horry County Memorandum in Opposition to City Motion for Preliminary Injunction and in Support of its Motion for Preliminary Injunction and all exhibits, filed May 14, 2019
9. City Motion to Dismiss Counterclaims, filed May 20, 2019
10. City Memorandum in Support of Motion to Dismiss Counterclaims and all exhibits, filed May 20, 2019
11. City Reply to Horry County Answer and Counterclaims, filed May 20, 2019
12. City Reply Memorandum in Support of Motion for Preliminary Injunction and all exhibits, filed May 24, 2019
13. Horry County Motion for Leave to File Amended Answer and Counterclaims, filed May 29, 2019
14. City Memorandum in Opposition to County Motion for Leave to File Amended Answer and Counterclaims and exhibit, filed May 31, 2019
15. Horry County Reply in Support of Motion for Leave to File Amended Answer and Counterclaims, filed June 6, 2019
16. Horry County Memorandum in Opposition to City Motion to Dismiss, filed June 13, 2019
17. City Memorandum in Opposition to Horry County Motion for Preliminary Injunction and all exhibits, filed June 13, 2019
18. Transcript of Hearing on Motions for Preliminary Injunction, dated June 14, 2019
19. Form 4 Order on Motions for Preliminary Injunction, entered June 18, 2019

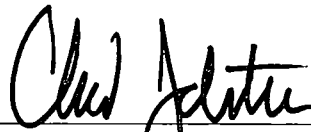
20. Order Granting City Motion for Preliminary Injunction and Denying Horry County Motion for Preliminary Injunction (“Injunction Order), entered June 21, 2019
21. City Reply Memorandum in Support of Motion to Dismiss, filed June 21, 2019
22. Horry County Motion for Reconsideration of Injunction Order and exhibit, filed June 25, 2019
23. City Motion for Rule to Show Cause, filed June 26, 2019
24. City Memorandum in Support of Motion for Rule to Show Cause and all exhibits, filed June 26, 2019
25. City Supplemental Memorandum in Support of Motion for Rule to Show Cause and all exhibits, filed July 1, 2019
26. Horry County Memorandum in Opposition to Motion for Rule to Show Cause, filed July 2, 2019
27. Horry County Motion for Judgment on the Pleadings, filed July 2, 2019
28. City Memorandum in Opposition to Motion for Reconsideration and all exhibits, filed July 3, 2019
29. Horry County Reply in Support of Motion for Reconsideration, filed July 8, 2019
30. City Reply Memorandum in Support of Motion for Rule to Show Cause and all exhibits, filed July 8, 2019
31. City Memorandum in Opposition to Horry County Motion for Judgment on the Pleadings, filed July 8, 2019
32. Transcript of Hearing on Motion for Reconsideration, dated July 11, 2019 (occurring on July 10, 2019)

33. Order Denying Motion for Reconsideration, entered July 10, 2019
34. Horry County Motion to Stay or for Supersedeas and exhibit, filed July 12, 2019
35. Horry County Motion to Stay Underlying Case Pending Appeal, filed July 15, 2019
36. Horry County Supplemental Memorandum in Support of Motion to Stay or for Supersedeas and exhibit, filed July 16, 2019
37. Order Denying Motion for Stay or Supersedeas, entered July 17, 2019
38. Order Granting Motion to Stay Underlying Case Pending Appeal, entered July 18, 2019
39. Horry County Petition for Supersedeas to the Court of Appeals, dated July 19, 2019
40. City Return to Petition for Writ of Supersedeas to the Court of Appeals, dated July 29, 2019
41. City Supplemental Appendix I to Petition for Writ of Supersedeas, filed July 29, 2019
42. City Supplemental Return to Petition for Writ of Supersedeas, filed August 5, 2019
43. City Supplemental Appendix II to Petition for Writ of Supersedeas, filed August 5, 2019
44. Horry County Reply in Support of Petition for Writ of Supersedeas, filed August 5, 2019
45. City Motion and Memorandum to Lift Stay to File Evidence of Surety Bond and exhibit, filed August 6, 2019

46. Order of Court of Appeals Denying Petition for Supersedeas, entered August 7, 2019
47. Order Granting City Motion to Lift Stay to File Evidence of Surety Bond, entered August 16, 2019
48. City Notice of Filing of Evidence of Surety Bond and exhibit, filed August 20, 2019

Pursuant to Rule 209, SCACR, the undersigned counsel for the Respondents certifies that the foregoing Designation of Matter to Be Included in the Record on Appeal contains no matter which is irrelevant to this appeal.

Respectfully submitted,



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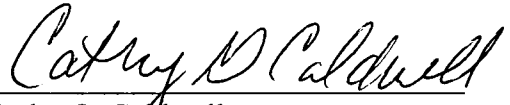
CERTIFICATE OF SERVICE

This is to certify that I, a legal assistant with the law firm Willoughby & Hoefler, P.A., have caused to be served this day one (1) copy of the **Initial Brief of Respondents City of Myrtle Beach, For Itself and a Class of Similarly Situated Plaintiffs, and Designation of Matter to be Included in the Record on Appeal** by placing same in the care and custody of the United States Postal Service with first class postage affixed thereto and addressed as follows:

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Cathy G. Caldwell

Columbia, South Carolina
This 9th day of October, 2019